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# Open Access Publishing and Intellectual Freedom: Remembering Aaron Swartz

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# Open Access Publishing and Intellectual Freedom: Remembering Aaron Swartz

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I'd like to give a 10 minute overview of Open Access in which I try to answer the questions:

- What is Open Access?
- Why do we want Open Access?

Then I'll speak briefly about how faculty at URI have successfully changed the default for their scholarly articles to Open Access.

# What is Open Access?

*“Open-access (OA) literature is digital, online, free of charge, and free of most copyright and licensing restrictions.”*

— Peter Suber, “Open Access Overview,”  
<http://legacy.earlham.edu/~peters/fos/overview.htm>

Peter Suber offers this definition of OA: [[read slide]]

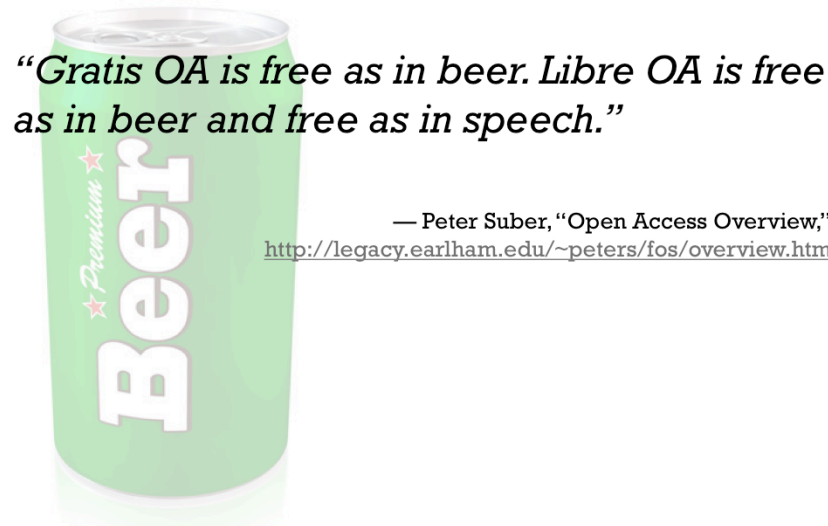
Thus Open Access removes **price** barriers (like subscription fees) as well as **permission** barriers.

Thus far, the open access movement has *primarily* targeted peer-reviewed journal literature.

Because authors give their scholarly articles to the world without the expectation of payment, and because it is in their interest that their work be read as widely as possible, OA to journal articles just makes sense.

However, open access can also refer to books, dissertations, data sets, educational resources, and other materials.

## Gratis and Libre



*“Gratis OA is free as in beer. Libre OA is free as in beer and free as in speech.”*

— Peter Suber, “Open Access Overview,”  
<http://legacy.earlham.edu/~peters/fos/overview.htm>

Again, Open Access content is not simply free to read.

In fact, all the major public definitions of OA agree that removing price barriers alone is not enough.

To describe the different sub-species of OA, we can use the terms “gratis” and “libre.”

**Gratis** OA is free of charge, but not free of copyright or licensing restrictions, whereas...

**Libre** OA is free of charge and expressly permits uses beyond fair use.

An example of Libre OA would be releasing work under a Creative Commons license.

## Why OA?

A library that could today afford full coverage of the journal literature would have to pay:

- In 20 years: 2.7 times more
- In 60 years: 18.7 times more
- In 100 years: 131.5 times more

But, with the library's budget unchanged, the library could only offer:

- In 20 years: 37.7% coverage
- In 60 years: 5.4% coverage
- In 100 years: 0.8% coverage

— Richard Poynder, "Suber: Leader of a Leaderless Revolution," *Information Today*, July/August 2011.

Here's another reason why the Open Access movement has primarily targeted journal literature: **The subscription model for journals is simply unsustainable.**

The domination of scholarly journal publishing by a few large publishing conglomerates seeking to maximize profits, combined with a steady growth in the number of articles published, has resulted in declining access by researchers to the scholarly literature they need to do their jobs.

Since the mid-1980s, journal prices have risen **four** times faster than inflation as publishers raised prices to whatever the market would bear.

Library budgets have not kept up with the rate of increase in journal prices, forcing libraries to cancel subscriptions.

It's worth noting, as you can see on the slide, that even if prices and library budgets held steady, access to the literature would still decrease over time. The current subscription model is unsustainable in a world in which the volume of published information is growing by about 5% a year. It is just not scalable.

## Why OA?

*“As the volume of research information increases, with a mind-boggling 1.5 million research articles published each year, no person can realistically hope to make full sense of this information by simply accessing and reading individual articles on their own. We must enable computers as a new category of reader to help power through this volume, thousands of articles at a time, and to highlight patterns, links, and associations that would otherwise go undiscovered. Computational tools like text mining and data mining are crucial to achieving this, and have the potential to revolutionize the research process.”*

— Heather Joseph, SPARC executive director, *Publisher's Weekly*, Feb. 13, 2013

In fact, as the volume of research literature expands, we will need what Suber refers to as “software prosthetics” or “prosthetic eyeballs,” to mediate our access to information.

These software tools will require open access in order to be able to analyze the body of research literature.

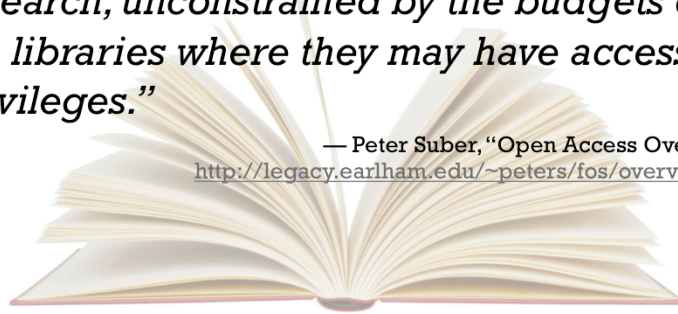
As Heather Joseph, Executive Director of SPARC, noted  
[[read quote on screen]]

<http://www.publishersweekly.com/pw/by-topic/digital/copyright/article/55988-publishers-blast-new-open-access-bill-fastr.html>

## OA Benefits Readers

*“Open access gives readers barrier-free access to the literature they need for their research, unconstrained by the budgets of the libraries where they may have access privileges.”*

— Peter Suber, “Open Access Overview,”  
<http://legacy.earlham.edu/~peters/fos/overview.htm>



Besides being necessary, and I would argue, inevitable, Open Access has many benefits.

It benefits readers.

Because, for many readers, access to expensive subscription content is simply unavailable.

Open access democratizes access to scholarship.

## OA Benefits Writers

- Studies have shown a citation advantage for OA articles ranging from 45% to over 500%.

— Alma Swan (2010), “The Open Access citation advantage: Studies and results to date,” <http://eprints.soton.ac.uk/268516/>



Open Access also benefits writers because it increases the readership and impact of scholarship.

With OA, research is not trapped behind publisher pay walls, so more people read it, and more people cite it.



## OA Benefits Everyone

*“OA accelerates not only research but the translation of research in to new medicines, useful technologies, solved problems, and informed decisions that benefit everyone..”*

— Peter Suber, “Open Access Overview,”  
<http://legacy.earlham.edu/~peters/fos/overview.htm>

Really, Open Access benefits everyone.

It makes research more widely available, more discoverable, more retrievable, and therefore more useful.

## How do we get there?

### Green Open Access: Repositories

- Researchers publish in the journal of their choice and then deposit their final, peer-reviewed manuscript in a disciplinary or institutional repository

### Gold Open Access: Journals

- Journals make their published contents freely available to readers
- Multiple business models (profit and non-profit)

So, how do we get there?

There are two commonly-recognized “roads” to Open Access: the Green Road and the Gold Road.

[[use contents of slide to summarize each]]

The Green and Gold Roads are complementary. Both are important to the transformation of scholarly communication, and **both roads rely on journals to perform the important work of peer review.**

I’ll conclude by explaining how the University of Rhode Island faculty have started down the green road by passing an Open Access Policy.

# Green OA Strategy@URI

Deposit into DigitalCommons@URI a version of the scholarly articles written by URI faculty in order to make them available open access



Again, in the “Green OA” model, faculty publish in whatever journal they want (the best journal possible)

And then they archive a version of their article in the DigitalCommons@URI repository (the version targeted is the author’s final manuscript, after all changes from the peer-review process have been made)

## Barrier: Copyright

When authors transfer their copyright in an article to a publisher, they lose the right to make it available to colleagues and students for the purposes of teaching & research, to post it on a personal or institutional website, and to create derivative works.



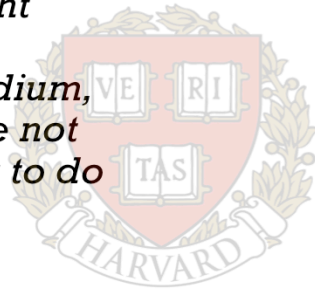
A potential problem with this strategy is copyright.

Authors initially own the copyright in their articles, but most journals require authors to transfer their copyright to the journal publisher.

After they do this, authors can no longer make use of their own work without the publisher's permission, including posting a version of their article in a repository.

## Solution: URI Open Access Policy

*“...Each Faculty member grants to the University of Rhode Island a nonexclusive, irrevocable, worldwide license to exercise any and all rights under copyright relating to each of his or her scholarly articles, in any medium, provided that the articles are not sold, and to authorize others to do the same...”*



The URI Open Access Policy, passed by the Faculty Senate in March (2013) is a solution to the copyright problem.

Pioneered by Harvard in 2008 and since then over 40 similar policies have since been passed at other institutions.

[http://cyber.law.harvard.edu/hoap/Additional\\_resources](http://cyber.law.harvard.edu/hoap/Additional_resources)

Heart of the policy reads: [[read text]]

## Plain English

- URI faculty authors retain full copyright in their articles.
- Authors give URI permission to make available a version of their journal articles in DigitalCommons@URI.
- URI can reproduce, display, and distribute the articles as long as they were not sold, and can authorize others to do the same.
- **Because the university can grant these rights back to the author, in effect, the policy allows authors to retain their rights.**

So what this mean?

Under the policy, authors retain full copyright in their articles... however, they have granted URI permission to make certain uses of their articles.

Because this permission is “non-exclusive,” authors are still free to transfer their copyrights to journal publishers.

However, even if they do so, URI retains the right to distribute the articles in DigitalCommons (and to exercise other rights in copyright).

This strategy is legally sound: URI’s permission to use the articles survives the transfer of copyright to a publisher because it was granted before that transfer.

As a result, URI is now able to make all articles written by URI faculty freely available to the world, open access, through our repository, without relying on publisher permission.